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RESOLUTION NO. 03-215

(Outside Corporate Limits)

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF **WATER DISTRIBUTION SYSTEM NUMBER 448-89780 (NORTH OF 47TH STREET SOUTH, WEST OF K-15 HIGHWAY)** IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF CONSTRUCTING **WATER DISTRIBUTION SYSTEM NUMBER 448-89780 (NORTH OF 47TH STREET SOUTH, WEST OF K-15 HIGHWAY)** IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct **Water Distribution System Number 448-89780 (north of 47th Street South, west of K-15 Highway)** in the City of Wichita, Kansas.

SECTION 2. That the cost of said improvements provided for hereof is estimated to be **Ninety-Two Thousand Dollars (\$92,000.00)**, exclusive of the cost of interest on borrowed money, with **100** percent payable by the improvement district Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **December 1, 2002.**

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

**LOT 1, OPPORTUNITY CENTER ADDITION, SEDGWICK
COUNTY, KANSAS**

and

UNPLATTED TRACT A

That part of the SE1/4 of the SW1/4 of Sec. 14, T28S, R1E of the 6th P.M., Sedgwick County, Kansas, lying west of the Atchison, Topeka, and Santa Fe Railway Company right-of-way, except the west 180 feet of the south 200 feet thereof, and except the north 1125.22 feet of the west 50 feet thereof for highway; and except the north 500 feet, and except the south 50 feet thereof for road.

SECTION 4. That the method of apportioning all costs of said improvements attributable to the owners of land liable for assessment shall be on a **fractional** basis:

That Lot 1, Opportunity Center Addition, Sedgwick County, Kansas shall pay $\frac{1}{2}$ of the total cost payable by the improvement district, and that the unplatted Tract A (as detailed above) shall pay $\frac{1}{2}$ of the total cost payable by the improvement district.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq., as amended and supplemented, and K.S.A. 12-693.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, May 6, 2003.

CARLOS MAYANS, MAYOR

ATTEST:

PAT GRAVES, CITY CLERK

(SEAL)